

REMARKS

In the FINAL Office Action of May 19, 2005, the Examiner rejected claims 1-20 under § 103(a) as being unpatentable over Kortmann in view of Barton.

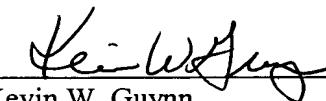
The Examiner provided a copy of Kortmann (a German reference) with only 2 paragraphs of the abstract translated. From this minimal translation, the Examiner concluded that element 9 is a splitting similar to that seen in FIG 11 of Barton. However, nowhere in Kortmann is such a construction illustrated. The Examiner picked up on word “pivot” in the abstract translation, even though the drawings do not show this type of construction.

Applicant has obtained a translation of the entire text of Kortmann, which is attached. From this translation, it is clear, and is fully supported by the drawings, that the element 9 (which applicant’s translator defines as a “movable friction tube”) is a solid continuous member. The Kortmann structure is quite different from that disclosed and claimed in the present invention. Kortmann uses 2 or more rings or tubes that surround one another, that each have circular holes in them, but the holes are eccentrically positioned in the tubes. When two nested tubes are rotated relative to one another, the center point of the center opening is caused to move relative to the outer circumference of the outer tube, thereby allowing the nested tubes to accommodate an eccentrically positioned circular pipe in a circular wall opening. Kortmann does not teach or suggest to use a plurality of blocks, arranged circumferentially next to one another, but rather uses a plurality of tubes, arranged radially next to one another. If Kortmann were made up of a plurality of blocks arranged circumferentially next to one another, it would be difficult, if not impossible for the surrounding assemblies of multiple blocks, now arranged as rings, to be rotated relative to one another, as is the primary objective of Kortmann to do in order to accommodate the eccentric pipe as he describes. Only a rotating of the two nested tubes is described or shown in the Kortmann disclosure, and nowhere is it shown, or described in a manner to teach a person of ordinary skill in the art, to make the tubes from multiple blocks, and then be able to rotate the tubes relative to one another.

Applicant respectfully requests the Examiner to reconsider the rejection, given the attached translation of the entire specification, and to indicate that the present claims are allowable.

In view of the foregoing, applicants respectfully submit that each of the independent claims of the application, and therefore also the dependent claims, are patentably distinguishable from the primary references and any permissible combination of primary and secondary references, and therefore request the Examiner to reconsider the rejections, indicate all claims as allowable and pass the application to issuance.

Respectfully submitted,


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